

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

EDWARD HURTWITZ,

Plaintiff,

v.

PINNACLE FINANCIAL GROUP, INC.,

Defendant.

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Case No. 14-10040

Honorable Nancy G. Edmunds

**ORDER ACCEPTING AND ADOPTING MAGISTRATE JUDGE'S REPORT AND  
RECOMMENDATION [12], GRANTING DEFENDANT'S FIRST MOTION TO DISMISS  
[5], DENYING AS MOOT DEFENDANT'S SECOND MOTION TO DISMISS [9], AND  
DISMISSING PLAINTIFF'S COMPLAINT WITH PREJUDICE**

This matter comes before the Court on the Magistrate Judge's Report and Recommendation [12]. Being fully advised in the premises and having read the record and the pleadings, including the Report and Recommendation<sup>1</sup>, the Court hereby ACCEPTS AND ADOPTS the Magistrate Judge's Report and Recommendation [12], GRANTS Defendant's first motion to dismiss [5], DENIES AS MOOT Defendant's second motion to dismiss [9], and DISMISSES WITH PREJUDICE Plaintiff's complaint.

SO ORDERED.

s/Nancy G. Edmunds  
Nancy G. Edmunds  
United States District Judge

Dated: June 3, 2014

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<sup>1</sup>No timely objections were filed.

I hereby certify that a copy of the foregoing document was served upon counsel of record on June 3, 2014, by electronic and/or ordinary mail.

s/Carol J. Bethel

Case Manager